

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELANIE CHANTELL LATRONICA,
Plaintiff,
v.
MORRISON C. ENGLAND, et al.,
Defendants.

Case No. [16-cv-02870-RS](#)

**ORDER TO SHOW CAUSE AND
DENYING PLAINTIFF'S MOTIONS**

Despite the fact this matter has been dismissed with prejudice and closed, Melanie Chantell Latronica has again filed multiple motions to proceed *in forma pauperis*, a motion for relief from the judgment, and also requests reassignment to a different district judge. Latronica is no stranger to California courts or this court. She has filed incomprehensible complaints in the Eastern District of California. *See, e.g., Latronica v. Obama*, No. 2:12-cv-1592-KJM-EFB PS, 2012 WL 2428436 (E.D. Cal. June 26, 2012); *Latronica v. California*, No. S-12-1047, 2012 WL 2401382 (E.D. Cal. June 25, 2012); *Latronica v. Superior Court of California*, No. 1:09cv1162 AWI DLB, 2009 WL 2136333 (E.D. Cal. July 15, 2009). Indeed, the judge assigned to her case is one of the hundreds of defendants listed in her complaint. Latronica has also filed at least four suits in the Northern District of California—all of which have been dismissed with prejudice for failure to state claims for relief and lack of subject-matter jurisdiction. *See Latronica v. England*, No. 3:16-02870-RS; *Latronica v. Double Tree by Hilton*, No. 4:15-cv-01709-DMR; *Latronica v.*

1 *Halfhill*, No. 4:14-cv-04257-YGR;¹ *Latronica v. United States*, No. 4:13-5685-YGR. The
 2 California state courts have had similar experiences with Latronica and, indeed, have labeled her a
 3 vexatious litigant. *See* California Courts' Vexatious Litigant List (July 1, 2016),
 4 <http://www.courts.ca.gov/documents/vexlit.pdf>.

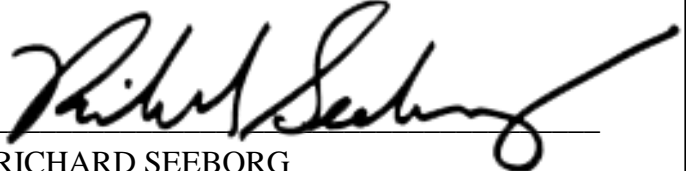
5 Federal courts also have authority to label a litigant "vexatious" and to require review of
 6 future complaints filed by the vexatious litigant. "The All Writs Act, 28 U.S.C. § 1651(a),
 7 provides district courts with the inherent power to enter pre-filing orders against vexatious
 8 litigants." *Molski v. Evergreen Dynasty Corp.*, 500 F.3d 1047, 1057 (9th Cir. 2007). Before
 9 entering such an order, district courts must (1) give the litigant notice and an opportunity to be
 10 heard; (2) compile an adequate record for review; (3) "make substantive findings that the litigant's
 11 filings are frivolous or harassing"; and (4) narrowly tailor the pre-filing order to "fit the specific
 12 vice encountered." *Hurt v. All Sweepstakes Contests*, No. C-12-4187 EMC, 2013 WL 144047, at
 13 *5 (N.D. Cal. Jan. 11, 2013) (internal quotation marks omitted).

14 In light of this history in the court, Latronica is now ordered to show cause why she should
 15 not be labeled a vexatious litigant and have a pre-filing order entered against her. She must
 16 respond to this order by August 19, 2016, by 5:00 p.m. PST, and address each of the factors listed
 17 above. Latronica's pending motions for relief from the judgment and to proceed *in forma*
 18 *pauperis* are denied for the reasons articulated in this court's previous order.

19 **IT IS SO ORDERED.**

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 24 ¹ Dissatisfied with orders dismissing her claims, Latronica accused Judge Gonzalez-Rogers of
 25 prejudice and sought her disqualification. Judge Gonzalez-Rogers referred the matter to a
 26 different district judge for review. Judge Tigar rejected Latronica's charge of bias was baseless.
 27 *See Latronica v. Sangha*, No. 14CV04257YGRJST, 2015 WL 3463410, at *2 (N.D. Cal. May 29,
 2015) ("And aside from Plaintiff's objection to Judge Gonzalez Rogers' dismissal of her case, the
 Court finds that Plaintiff's affidavit is legally insufficient to merit disqualification.").

1 Dated: July 20, 2016

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3 RICHARD SEEBORG
4 United States District Judge

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Northern District of California